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RHEHNSC/NSC WASHDC IMMEDIATE  
RUEKJCS/SECDEF WASHDC IMMEDIATE

C O N F I D E N T I A L SANTIAGO 000166

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E.O. 12958: DECL: 01/25/2016  
TAGS: [MARR](#) [PREL](#) [MOPS](#) [PGOV](#) [CI](#)  
SUBJECT: INTERIM RESPONSE TO PROPOSAL FOR SOFA PROTECTIONS;  
GOC TO PRESENT BILL ALLOWING EXECUTIVE BRANCH TO CONCLUDE  
LONG-TERM SOFAS

REF: A. 05 STATE 225438  
[1](#)B. 05 SANTIAGO 02523  
[1](#)C. SANTIAGO 00091  
[1](#)D. 05 STATE 21154

Classified By: Deputy Chief of Mission Emi L. Yamauchi. Reasons: 1.4 (b and d).

[1](#)1. (U) This is an action request. See paragraph 4.

[1](#)2. (C) Foreign Ministry Special Policies Director Luis Winter telephoned poloff January 25 to advise that the MFA was prepared to send the Embassy a diplomatic note accepting the U.S. proposal regarding protections for U.S. personnel involved in military exercises, but for the period January - June 2006 (Ref A), rather than the entire calendar year.

[1](#)3. (C) Winter noted the GOC's efforts to introduce a law in Congress that would grant the Chilean executive branch the right to conclude long-term SOFA-like agreements with other countries (Ref C). Winter said the GOC would attempt to secure congressional approval of the law before June 2006. If successful, the GOC would then conclude a SOFA-like agreement with the U.S. to cover the remaining exercises. If not, the MFA would send the Embassy a second diplomatic note extending the arrangements to cover any exercises during the June - December 2006 time-period. Winter asked poloff if such a proposal would be acceptable to Washington. Poloff said the Embassy would immediately convey Winter's proposal to Washington and request guidance.

[1](#)4. (C) Action request: Given the short time remaining (the first exercises are to begin in March), Post believes the U.S. should accept the Foreign Ministry's proposal, assuming the contents of the Foreign Ministry's diplomatic note are consistent with the U.S. proposal conveyed in December 2005 (Ref A). Post requests urgent guidance to respond to the Foreign Ministry's proposal.  
KELLY